

# DEPARTMENT OF MENTAL HEALTH

## OFFICE OF HUMAN RIGHTS



### ***Office of Human Rights (Background):***

The Department of Mental Health (DMH), Office of Human Rights (OHR) was established to ensure that employees and applicants have equal employment opportunity as provided by law, regulations, and policies. Additionally, OHR ensures that mental health laws, regulations, and policies on the rights of recipients of mental health services are observed in state hospitals and in licensed health and community care facilities. To accomplish these objectives, the OHR provides or oversees the following functions:

### ***Patients' Rights:***

Californians with mental illness who are receiving treatment in mental health facilities, including those persons subject to involuntary commitment, are guaranteed numerous rights under State and federal laws, including the right to be free from abuse and neglect, the right to privacy and dignity, and the right to basic procedural protections in the commitment process. The DMH is required to enter a multi-year contract with a nonprofit organization and Office of Patients' Rights (OPR) to provide investigative and advocacy services to persons with mental disabilities. The OPR also provides direct advocacy services in the state hospitals as well as training and technical assistance to all county patients' rights advocates.

### ***Equal Employment Opportunity (EEO):***

The OHR has the responsibility to protect the rights of every applicant and employee to a work environment free from unlawful discrimination by prohibiting any employee conduct that is discriminatory, and to ensure prompt investigation of complaints of discrimination through the discrimination complaint process.

### ***Reasonable Accommodation:***

The OHR is responsible for the implementation of the Reasonable Accommodation Policy as defined in the Americans with Disabilities Act of 1990. DMH's policy is to make reasonable accommodation to the known physical and/or mental limitations of applicants and employees who meet the definition of a qualified person with disability.

### ***EEO Goals and Timetables:***

The OHR prepares the annual EEO Goals and Timetables as mandated in Government Code §19790 which states, "Each agency and department shall establish goals and timetables designed to overcome any identified underutilization of minorities and women in their respective organizations..." These goals are defined in §19791 as "a projected level of achievement resulting from an analysis by the employer of its deficiencies in utilizing minorities and women and what reasonable remedy is available to correct such under utilization..."

### ***State Hospital EEO Programs:***

The OHR oversees the EEO Programs within the state hospitals. Each hospital has an EEO Office headed by the EEO Officer. The EEO Officers have the responsibility to protect the rights of every applicant and employee as listed under the "Equal Employment Opportunity" section of this fact sheet. The OHR provides functional supervision, support, technical assistance, training, and conducts a monthly meeting with the EEO Officers.

### ***Policy Responsibilities:***

The OHR is responsible for reviewing and revising Department Policy Directives as they relate to OHR functions. These policies may include "Sexual Harassment," "Discrimination Complaint Procedure," "Reasonable Accommodation," "Religious Accommodation," etc.

### ***Training Responsibilities:***

The OHR is responsible to provide training (directly or through other means such as contracts or consultants) relating to Policy Directives. The OHR also provides training to the EEO Officers, Counselors, Investigators, and for new employee orientations. In order to accomplish this, the OHR has developed numerous manuals and documents which are continuously being revised and updated as laws, regulations and policies change.

**For more information call: (916) 654-2327**